

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES OF AMERICA * CIVIL ACTION NO:
VERSUS * JUDGE
MIKE J. MCCULLOUGH * MAGISTRATE JUDGE

C O M P L A I N T

The complaint of the United States of America, appearing herein through counsel, respectfully, represents that:

1.

This Court has jurisdiction under the provisions of 28 U.S.C. §1345 in that this is an action of a civil nature on behalf of the United States of America.

2.

The defendant is a resident of Lafayette, Louisiana, within the jurisdiction of this court.

3.

The defendant is indebted unto the United States of America in the amount of \$51,515.23, as more fully shown on the Certificate of Indebtedness attached hereto.

4.

The above amount is due and unpaid despite amicable demand.

WHEREFORE, plaintiff, United States of America, prays for judgment against the defendant in the amount of \$51,515.23, any penalty and/or administrative charges, plus accrued interest from December 4, 2018, to date of judgment at the rate of 1.563%, plus interest thereafter at the legal rate until paid in full, compounded annually pursuant to the provisions of 28 U.S.C. §1961(b), as amended, together with all costs of this proceeding, including \$400.00 filing fees allowed pursuant to 28 U.S.C. §2412 (a) (2).

UNITED STATES OF AMERICA

DAVID C. JOSEPH
UNITED STATES ATTORNEY

By:/s/*Tass D. Waterston*
TASS D. WATERSTON (TX 90001809)
Assistant United States Attorney
300 Fannin Street, Suite 3201
Shreveport, Louisiana 71101
(318) 676-3600



SMALL BUSINESS ADMINISTRATION

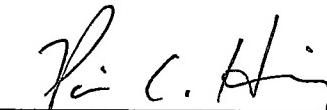
Office of the Chief Financial Officer
Denver Finance Center
Programmatic Accounting Division
Denver, CO 80259

CERTIFICATE OF INDEBTEDNESS

I, Patrick C. Henning, Accountant, Programmatic Accounting Division, Denver Finance Center, Office of the Chief Financial Officer, Small Business Administration, do hereby certify as such officer that I have the authority to make this Certificate and that the financial records of said Small Business Administration are under my custody including the records which are maintained in connection with a loan to: Mike J. McCullough, SBA Loan #9205875010.

Enclosed as Exhibit "A" is a Statement of Account and Transcript of Account relating to said loan, certified as true by Patrick C. Henning, Accountant, Programmatic Accounting Division, Denver Finance Center, Office of the Chief Financial Officer, Small Business Administration. Said Statement of Account and Transcript of Account are true and correct to the best of my personal knowledge and from my examination of the books and records of the Small Business Administration with respect to said loan, and are hereby incorporated with and made part of this certificate.

Executed this 3rd day of December, 2018



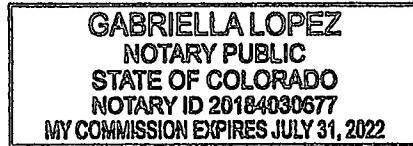
Patrick C. Henning, Lead Accountant

I, Gabriella Lopez, a Notary Public in and for the State of Colorado, do hereby certify that the above named Supervisory Accountant is employed by the United States Small Business Administration, and that such officer has custody of the official financial records of the Small Business Administration.

My commission expires: July 31st, 2022



Gabriella Lopez





SMALL BUSINESS ADMINISTRATION

Office of the Chief Financial Officer
 Denver Finance Center
 Programmatic Accounting Division
 Denver, CO 80259

CERTIFIED STATEMENT OF ACCOUNT

As of December 3rd, 2018

Loan Number: 9205875010

Name: Mike J McCullough

Address: 101 Marble Creek CV, Lafayette, LA 70508

Total Amount Disbursed:

Loan	\$ 50,000.00
Care and Preservation of Collateral	\$ 0.00
Recoverable Expenses	\$ 105.00
Total Amount Disbursed	\$ 50,105.00
Less: Repayments (prin)	\$ 0.00
Plus: Returned Checks	\$ 0.00
Current Balance	\$ 50,105.00
Add: Accrued & Purchase Interest	\$ 1,410.23
Total Charges Outstanding	\$ 51,515.23
Less: Escrow Balance	\$ 0.00
Total Indebtedness	\$ 51,515.23

Interest calculated at a rate of 1.563% thru 12/03/2018 with interest presently accruing at a rate of \$2.15 per day.

Date of Last Transaction

Interest Paid Through

01/31/2018

Certified to be a true and accurate statement as reflected by the official accounting records of the Small Business Administration

Patrick C. Henning, Lead Accountant

3 Dec 18

Date

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS		DEFENDANTS		
UNITED STATES OF AMERICA		MIKE J. McCULLOUGH		
(b) County of Residence of First Listed Plaintiff <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		County of Residence of First Listed Defendant <u>Lafayette</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i>		
		NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.		
(c) Attorneys (<i>Firm Name, Address, and Telephone Number</i>) U. S. Attorney's Office, 300 Fannin Street, Suite 3201 Shreveport, LA 71101-3068 (318) 676-3600		Attorneys (<i>If Known</i>)		
II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i>		III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i>		
<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	Citizen of This State	<input type="checkbox"/> PTF 1 <input type="checkbox"/> DEF 1 Incorporated or Principal Place of Business In This State	
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State	<input type="checkbox"/> PTF 2 <input type="checkbox"/> DEF 2 Incorporated and Principal Place of Business In Another State	
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> PTF 3 <input type="checkbox"/> DEF 3 Foreign Nation	
IV. NATURE OF SUIT <i>(Place an "X" in One Box Only)</i>				
CONTRACT		TORTS	FORFEITURE/PENALTY	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input checked="" type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability. <input type="checkbox"/> 196 Franchise		PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	
		PERSONAL PROPERTY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	
		LABOR	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	
			SOCIAL SECURITY <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation	
			FEDERAL TAX SUITS <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	
REAL PROPERTY		CIVIL RIGHTS	HABEAS CORPUS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	
		PRISONER PETITIONS	HABEAS CORPUS <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty OTHER: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	
V. ORIGIN <i>(Place an "X" in One Box Only)</i>				
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation	
VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing <i>(Do not cite jurisdictional statutes unless diversity)</i> : 15 U.S.C. 631 et seq. (13 C.F.R. Part 123)		
		Brief description of cause: defaulted disaster assistance loan		
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$ 51,515.23	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VIII. RELATED CASE(S) IF ANY		(See instructions): JUDGE DOCKET NUMBER		
DATE 03/12/2019		SIGNATURE OF ATTORNEY OF RECORD /s/Tass D. Waterston, AUSA - TX 90001809		
FOR OFFICE USE ONLY				
RECEIPT #	AMOUNT	APPLYING IPP	JUDGE	MAG. JUDGE